

APPLICATION FOR APPOINTIVE POSITION: 911 Surcharge Advisory Committee

Name: _____
 LAST FIRST MI

Mailing Address: _____

Physical Address: _____

Douglas County Resident? _____

Occupation: _____

Work Phone: _____ Home Phone: _____ Email: _____

I. STATEMENT REFLECTING QUALIFICATIONS/INTEREST: _____

II. EXPERIENCE IN COMMUNITY SERVICE: _____

III. AFFILIATION WITH TECHNICAL/PROFESSIONAL SOCIETIES: _____

IV. BACKGROUND AND EDUCATION:

A. NUMBER OF YEARS RESIDENCE IN DOUGLAS COUNTY: _____

B. EDUCATION BACKGROUND AND DEGREES HELD, IF ANY: _____

V. DO YOU ANTICIPATE ANY POTENTIAL CONFLICTS OF INTEREST? YES* _____ NO _____

*Please Explain _____

VI. ADDITIONAL COMMENTS: _____

SIGNATURE: _____ DATE: _____

A résumé or additional information may be attached.

Please return application to Douglas County Manager, P.O. Box 218, Minden, NV 89423

(775)782-9821 Telephone (775)782-6255 FAX

Please Note: Names of all applicants for appointive positions may be made public.

Ordinance No. 2007-1212

SUMMARY

An ordinance establishing an advisory committee and authorizing a telephone line surcharge to be imposed for the enhancement or improvement of existing telephone systems used for reporting emergencies pursuant to NRS 244A.7641 through NRS 244A.7647 inclusive.

TITLE

An ordinance establishing an advisory committee to develop a 5-year master plan to enhance or improve the telephone system for reporting an emergency and to oversee any money allocated for that purpose, and authorizing a telephone line surcharge to be imposed for the enhancement or improvement of existing telephone systems used for reporting emergencies pursuant to NRS 244A.7641 through NRS 244A.7647 inclusive, and other properly related matters.

The Board of County Commissioners of the County of Douglas, State of Nevada, does ordain:

SECTION I: Title 3 of the Douglas County Code is amended by the addition of a new chapter to read as follows:

Chapter 3.50

**Surcharge for Enhancement or Improvement of Telephone System used for Reporting
Emergency**

Sections:

- 3.50.010 Authority and Purpose.**
- 3.50.020 Definitions.**
- 3.50.030 Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergency.**
- 3.50.040 Chairman, election, and duties.**
- 3.50.050 Rules and regulations.**
- 3.50.060 Quorum.**
- 3.50.070 Meetings.**
- 3.50.080 Creation of special revenue fund; use of money in fund.**
- 3.50.090 Imposition of telephone surcharge.**
- 3.50.100 Penalty for failure to remit surcharges**

3.50.010 Authority and Purpose.

This chapter is enacted pursuant to NRS 244A.7641 through 244A.7647 for the following purposes:

A. To establish an advisory committee to develop a 5-year master plan for the enhancement or improvement of the telephone system for reporting emergencies in Douglas County and to oversee any money allocated for that purpose.

B. To impose a surcharge for the enhancement or improvement of the telephone system for reporting an emergency in Douglas County on:

1. Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Douglas County; and

2. The mobile telephone service provided to each customer of that service whose place of primary use is in Douglas County.

3.50.020 Definitions.

As used in this chapter, the words and terms defined in this section have the meanings ascribed to them unless the context requires otherwise.

A. **Incumbent local exchange carrier.** Has the meaning ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on October 1, 1999, and includes a local exchange carrier that is treated as an incumbent local exchange carrier pursuant to that section.

B. **Mobile telephone service.** Cellular or other service to a telephone installed in a vehicle or which is otherwise portable.

C. **Place of primary use.** Has the meaning ascribed to it in 4 U.S.C. § 124(8), as that section existed on August 1, 2002.

D. **Supplier.** A person authorized by the Federal Communications Commission to provide mobile telephone service.

E. **Trunk line.** A line that provides a channel between a switchboard owned by a customer of a telecommunications provider and the local exchange of the telecommunications provider.

3.50.030 Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergency.

The board creates a five member advisory committee to develop a 5-year master plan to enhance or improve the telephone system for reporting an emergency in Douglas County and to oversee any money allocated for that purpose (the Committee). The master plan must include an estimate of the cost of the enhancement or improvement of the telephone system and all proposed sources of money for funding the enhancement or improvement.

A. Members will serve without compensation.

B. A member appointed to the Committee must:

1. Be a resident of Douglas County.

2. Possess knowledge concerning telephone systems for reporting emergencies;

and

3. Not be an elected public officer.

As Douglas County has a population of less than 100,000, at least one member of the Committee must be a representative of an incumbent local exchange carrier which provides service to persons in Douglas County.

D. Members will be selected at large by the board at its discretion.

E. The Board must appoint members for a term of two years, except for the initial term, and may reappoint any member to subsequent terms of two years. Any vacancy occurring during a member's term will be filled by the board. A person appointed to fill a vacancy occurring during a term must serve out the unexpired term of the member replaced. On the effective date of this ordinance, the board must set the initial appointed members' terms to provide for the terms of three of the appointed members to end on December 31, 2008, and for the terms of two of the appointed members terms to end on December 31, 2007.

3.50.040 Chairman, election, and duties.

A. The committee must elect from its membership a chairman and vice-chairman.

B. the chairman will preside at meetings and be the signatory of any correspondence necessitated by operation of the committee.

3.50.050 Rules and regulations.

The committee may adopt rules and regulations regarding its meetings and procedures.

3.50.060 Quorum.

Three members of the committee will constitute a quorum. The approval of a majority of all members present to vote is necessary on any action the committee desires to take.

3.50.070 Meetings.

The committee must hold a public meeting on a regular day not less than quarterly unless a rule changing the meeting is adopted by the committee. At least three working days prior to any meeting, copies of the proposed agenda must be available to the public in the county clerk's office and must, additionally, be mailed to each member of the committee. Notice of the meetings and the conduct of the meetings of the committee, including the taking of minutes and their transcription and retention, must comply with the provisions of chapter 241 of NRS, Nevada Open Meeting Law.

3.50.080 Creation of special revenue fund; use of money in fund.

A. The board creates a special revenue fund for the deposit of any money collected pursuant to NRS 244A.7643. The money in the fund must be used only for the following purposes:

(1) To enhance the telephone system for reporting an emergency so that the number and address from which a call received by the system is made may be determined, including only:

(a) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;

(b) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;

(c) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system; and

(d) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(2) To improve the telephone system for reporting emergencies in the county.

B. If the balance in the fund created pursuant to subsection 1 which has not been committed for expenditure exceeds \$500,000 at the end of any fiscal year, the board must reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$500,000.

3.50.090 Imposition of telephone surcharge.

A. The Board imposes a surcharge for the enhancement of the telephone system for reporting an emergency in Douglas County on:

(1) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Douglas County; and

(2) The mobile telephone service provided to each customer of that service whose place of primary use is in Douglas County.

B. The surcharge on access lines to the local exchange of a telecommunications provider will be twenty-five cents per month per line.

C. The surcharge on trunk lines to the local exchange of a telecommunications provider will be two dollars and fifty cents per month per line.

D. The surcharge for each telephone number assigned to a customer by a supplier of mobile telephone service will be twenty-five cents per month per telephone number.

E. A telecommunications provider that provides access lines or trunk lines in Douglas County and a supplier that provides mobile telephone service to customers in Douglas County must collect the surcharge from its customers each month. Except as otherwise provided in NRS 244A.7647, each telecommunications provider and supplier must remit the surcharge it collects to the treasurer of the county in which the surcharge is imposed not later than the 15th day of the month after the month it receives payment of the surcharge from its customers. In accordance with NRS 244A.7647, a telecommunications provider or supplier which collects the surcharge imposed pursuant to this section is entitled to retain an amount of the surcharge collected which is equal to the cost to collect the surcharge.

F. Telecommunications providers and mobile telephone service suppliers affected by this ordinance must begin imposing the surcharges described in this section 3.50.090 within 60 days after the Board approves a 5-year master plan for the enhancement or improvement of the telephone system for reporting emergencies in the county commencing with a full monthly billing cycle.

G. The county manager may adopt procedures as necessary to effectuate the provisions of this section.

3.50.100 Penalty for failure to remit surcharges

Any telecommunications provider or mobile telephone service supplier that fails to remit surcharges due within 90 days after the date on which the telecommunications provider or supplier must otherwise remit the surcharges to the county treasurer will be subject to a penalty of 5% of the cumulative amount of surcharges owed by the telecommunications provider or supplier.

SECTION II: Imposition of the surcharges described in Section 3.50.090 cannot

commence until the board adopts a 5-year master plan for the enhancement or improvement of the telephone system for reporting emergencies in the county. All other provisions of the ordinance are effective upon publication as provided in NRS §244.117(3).

PROPOSED on JULY 5, 2007.

PROPOSED by Commissioner BAUSHKE.

PASSED on AUGUST 2, 2007.

VOTE: AYES: Commissioners DOUG N. JOHNSON

KELLY D. KITE

JAMES L. BAUSHKE

NANCY MCDERMID

NAYS: Commissioners NONE

ABSENT Commissioners DAVID J. BRADY


DOUG JOHNSON, CHAIRMAN,
DOUGLAS COUNTY BOARD OF COMMISSIONERS

ATTEST:



BARBARA J. GRIFFIN
CLERK-TREASURER

BY: 
CLERK TO THE BOARD

This ordinance will become effective on the 16TH day of AUGUST, 2007.